

PEACE 2013

At a recent seminar we were asked by a participant what other interview formats were available besides the selective interview. The *selective interview* is a structured series of questions that elicit behavioral responses from the subject that can be categorized as typically truthful or untruthful. The purpose of this interview is to identify truthful individuals to eliminate them from the investigation.

There are several additional types of interviews we will discuss in some detail that have differing purposes, but have significant utility in dealing with suspects and witnesses. Over the next several columns we will discuss the PEACE interview, the cognitive interview, and fact-gathering interviews. The first interview we will consider is the PEACE interview.

Moving Away from Confessions

The PEACE interview was developed in the United Kingdom by Dr. Eric Shepherd. It was through Dr. Shepherd's work that interviewer deficiencies and psychological issues relating to the interview were considered in a conversation-management approach. This interview moved the country from an accusatory interview to one of developing information from victims, witnesses, and suspects.

Since 1984 the United Kingdom has required electronic recording of the interviews of suspects after a series of cases were overturned by the Court of Appeals because of false confessions. It was decided that the police service would benefit from a single model of interviewing that was not focused on obtaining confessions.

The PEACE interview took a different view of the process from adversarial to something more akin to interviews conducted by counselors or psychotherapists. This made sense since Dr. Shepherd was an on-call psychologist.

The use of reciprocity at the beginning of the interview helps open the conversation and builds rapport between the interviewer and subject. The interview itself is designed to be aware of the subject's sensitivities, self-esteem, and self-image. The technique uses the word "response" as a memory jogger to aid the interviewer in remembering key components to developing a relationship. The term *response* stands for:

Respect
Empathy
Supportiveness
Positiveness
Openness
Nonjudgmental attitude
Straightforward talk
Equals (speak as equals while talking to each other)

by David E. Zulawski, CFI, CFE
and Shane G. Sturman, CFI, CPP



Zulawski and Sturman are executives in the investigative and training firm of Wicklander-Zulawski & Associates (www.w-z.com). Zulawski is a senior partner and Sturman is president. Sturman is also a member of ASIS International's Retail Loss Prevention Council. They can be reached at 800-222-7789 or via email at dzulawski@w-z.com and ssturman@w-z.com.

The PEACE model of investigative interviewing helps obtain accurate and reliable information from victims, witnesses, and suspects. This information should always be tested against evidence and other witness statements to determine its reliability.

It should be noted that the United Kingdom is unique in that a suspect who chooses to remain silent runs the risk of having an adverse inference being drawn in court. The suspect must give an account to police that is consistent with that given to his legal advisor, and he may not later use a story or alibi he did not tell the police. The police also are not allowed to use any form of inducements or promises to a suspect making admissions. Furthermore, they are not allowed to use rationalization or minimization during the interview to induce an admission from the suspect. In general, whenever possible, an interviewer should not interview a victim so he may remain non-judgmental during the interview.

The PEACE acronym was designed to help interviewers consistently remember the parts of the interview. PEACE stands for:

Planning and preparation
Engage and explain
Account
Closure
Evaluate

Planning and Preparation

The first step in the PEACE model is to plan and prepare for the interview. As with our interviews here in the United States, this would include room preparation and logistical issues surrounding the conversation. This might also encompass any legal issues, such as Miranda warnings.

The interviewer in this first step would consider the elements of the crime that must be proved, evidence available, the timeline of events, possible suspect explanations, and background of the people involved. The interviewer also would consider the important topics to be covered during the interview and the order in which they should be reviewed.

There is also a meeting with the suspect's legal advisor to provide him a basis for the arrest and give him an opportunity to understand the evidence against his client. The suspect's

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legal advisor then has the right to meet with his client and determine his story or explanation for the incident.

Engage and Explain

Especially in the United Kingdom where specific legal requirements exist, the interviewer must record the time, day, date, and location of the interview during the audio-video recording. There will also be introductions of the legal advisor for the suspect, plus any other investigators or interpreters. There will also be an advisement of the caution and explanation of it, plus a check for the subject's comprehension of the caution.

The interviewer then details the reason for the interview, laying out the explanation of the offense in layman's terms. The interviewer must then lay the groundwork for the arrest, although there is no requirement that the interviewer provide all the evidence available to the suspect.

The structure of the PEACE interview can be used in witness interviews to encourage a comprehensive examination of the subject's story and sequence of events. Using a structured approach to the interview will elicit more details and relevant facts than a rambling non-structured approach to the process.

The interviewer sets ground rules for the interview, asking for the truth and as much detail as possible. The interviewer encourages the subject to take as much time as is necessary to answer the question and think about his answer before and after he talks.

The interviewer also explains the second investigator's role in note taking and helping with materials or evidence that may be presented during the conversation.

Account, Clarify, Challenge

Next, the interviewer asks for the suspect's account of events relating to the incident. The interviewer may also ask a question to determine if the suspect is willing to admit to the incident prior to asking for the suspect's recount of events.

As the suspect offers his untainted version of the story, the interviewer asks no questions and uses silence to encourage a longer narrative response from the suspect. During the untainted story, the interviewer observes the suspect and listens to the story to determine potential "hotspots" or omissions that will need further explanation

or clarification. If the suspect's narrative lacks detail, he should be reminded to include as much detail as possible before the interviewer asks him to retell the events.

The interviewer will now begin to develop the suspect's story in segments, using open-ended questions to encourage a narrative detailed response in the particular segment. Then the interviewer will begin to probe the segments using more open-ended questions followed by probing questions. A probing question is more focused than in an open-ended question, but is designed so they may obtain precise information.

The interviewer then summarizes the details provided by the suspect and links them to the overall story provided. The interviewer should ask the suspect for clarifications of any information that is vague or contradictory.

Closure

The interviewer may at this point suspend the interview for a short time to review what the suspect has told him.

The interviewer now plans and prepares to re-interview the suspect regarding contradictions or anomalies in his story. The interviewer reviews all the suspect's responses and details the contradictions in them relating to the story itself, evidence, or witness statements.

The interviewer returns and restates any legal requirements and confirms the previous introductions. The interviewer at this point selects a contradiction and asks the suspect to take them through this portion of the story again. The suspect is asked to clarify the contradiction without being called a liar.

The interviewer may now offer evidence, statements, or other pertinent information that contradicts the suspect's story. The interviewer then asks the suspect to account for the apparent evidence to the contrary.

Once the suspect has had a final opportunity to explain any contradictions, he will have an opportunity to again consult with his legal advisor. The interviewer may decide that additional interviewing is appropriate.

The interviewer does not use rationalization or minimization to encourage an admission from the suspect, but instead uses the suspect's own words and contradictions to create a trap leading to an admission and, perhaps, a full confession.

Evaluate

The final component of the PEACE interview is to evaluate the information obtained and the evidence in the investigation. The interviewer may determine that there are additional investigative leads to be followed or that further interviews need to be conducted. The interviewer should also evaluate his performance during the PEACE interview and consider lessons learned from the encounter.

The structure of the PEACE interview can be used in witness interviews to encourage a comprehensive examination of the subject's story and sequence of events. Using a structured approach to the interview will elicit more details and relevant facts than a rambling, non-structured approach to the process.

In our next column we will consider the cognitive interview, which assists a victim or witness in accurately recalling events. ■